

Message Text

LIMITED OFFICIAL USE

PAGE 01 TEL AV 09982 041516Z
ACTION SCS-06

INFO OCT-01 NEA-10 ISO-00 CA-01 HA-05 JUSE-00 L-03

/026 W

-----095578 051019Z /11

R 041421Z AUG 78
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 4679

LIMITED OFFICIAL USE TEL AVIV 9982

ATTN: WILLIAM HURST - SCS

E.O. 11652: NA
TAGS: CGEN
SUBJECT: NAZI WAR CRIMINALS (FEODOR FEDORENKO)

PLEASE INFORM COLIT THAT MENDELSON HAS READ THE FEDORENKO CASE AND ASSUMES THE SG'S OFFICE WILL FILE A NOTICE OF APPEAL (TO BE HANDLED JOINTLY BY SG AND COLIT). THE FOLLOWING POINTS ARE NOTED:

1. THE JUDGE SEEMS MORE CONCERNED WITH HIS OWN IMAGE THAN THE SUBSTANCE OF THE CASE (PP 3, 4, 8, 9 ETC).

2. THERE IS CONFUSION ABOUT THE APPLICABLE LAW (PP 40 ET SEQ.)

3. GRATUTITOUS SLURS AGAINST THE DOJ (P.8).

4. INHERENT INCREDIBILITY IN DISBELIEVING ALL OF THE GOVERNMENTS WITNESSES (EXCEPT WHEN IT SUITED THE JUDGE'S AND DEFENDENT'S CONCLUSION) AND BELIEVING EVERYTHING THE DEFENDANT SAID.

5. COMMENTS AND RELIANCE ON FACTS OUTSIDE THE RECORD (I.E. P.9).

6. RELIANCE ON 1909 JUSTICE DEPARTMENT CIRCULAR (P.1) IS

MISPLACED BECASUE:

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TEL AV 09982 041516Z

(A) THE CIRCULAR WAS NOT ISSUED IN CONTEMPLATION OF NAZI ATROCITIES.

(B) THE CIRCULAR PREDATES AND IS, THEREFORE, INAPPLICABLE TO THE CURRENT LAW UNDER WHICH THE TRIAL WAS HELD.

(C) DOJ/INS AS THE ADMINISTERING AGENCY IS TO BE GIVEN
WIDE DEFERENCE IN THE INTERPRETATION OF THE CIRCULAR.

7. WAS ANY TESTIMONY, RATHER THAN COUNSEL ARGUMENTS, ADVANCED
ABOUT THE ALLEGED CONFUSION CONCERNING ROHOZA?

PLEASE ADVISE MENDELSON, THROUGH AMEMBASSY TEL AVIV, WHEN NOTICE
OF APPEAL FILED.

LEWIS

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 04 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TELAV09982
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780321-0688
Format: TEL
From: TEL AVIV
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780895/aaaadcev.tel
Line Count: 71
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 9d891d68-c288-dd11-92da-001cc4696bcc
Office: ACTION SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1829343
Secure: OPEN
Status: NATIVE
Subject: NAZI WAR CRIMINALS (FEODOR FEDORENKO) PLEASE INFORM COLIT THAT MENDELSON HAS READ THE FEDORENKO CASE AND ASSUMES THE SG'S OFFICE WILL FILE A NOTICE OF
TAGS: CGEN
To: STATE
Type: TE
vdkgwkey: odbc://SAS/SAS.dbo.SAS_Docs/9d891d68-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014